

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

The Court, having reviewed defendant's motion for summary judgment, the Report and Recommendation of the Honorable Mary Alice Theiler, United States Magistrate Judge, any objections thereto, and the balance of the record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) Defendant's motion for summary judgment (Dkt. #21) is GRANTED;
- (3) The complaint and this action are DISMISSED without prejudice; and
- (4) The Clerk is directed to send a copy of this Order to plaintiff, to counsel for defendant, and to Judge Theiler.

DATED this 16th day of January, 2007.


RICARDO S. MARTINEZ
UNITED STATES DISTRICT JUDGE